

**United States District Court
Eastern District of Michigan**

**Notice of E-mail Delivery Failure Directed to
Michael B. Nicholson**

On August 12, 2011, an electronic "**Delivery Failure Report**" was received by the court after an entry was made on the court record in case number: 02-cv-75164.

An e-mail delivery failure will occur when the attorney does not keep his/her e-filing account properly updated with a valid e-mail address.

Failure to provide the court with a correct e-mail address is a violation of the **Electronic Filing Policies and Procedures R3 (c)**.^{*} If a filing user has an obsolete e-mail address associated with his/her profile, the filing user must update the information immediately. The filing user should also review his/her active cases using a PACER account for all missed filings. This notice will be entered on the court record under the provisions of LR 11.1. **Sanctions may be imposed if additional violations occur after this date.**^{**}

An e-mail delivery failure can also occur when the intended NEF recipient experiences some kind of temporary technical disruption. Upon notification, the filing user should make every effort to correct the disruption as soon as possible. The filing user should also monitor his/her active cases using a PACER account until the technical disruption has been resolved.

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on this date, by electronic and/or ordinary mail.

DAVID J. WEAVER, CLERK OF COURT

By: s/Kelly Clark
Deputy Clerk

Dated: August 16, 2011

*** Rule 3 Eligibility, Registration, Passwords states, in part:**

(c) Each filing user is responsible for maintaining valid contact information in his or her ECF Registration account profile. When a user's contact information changes, the user must promptly update his or her ECF Registration account profile. If the filing user has a pending case before the Court, the user must also promptly notify all parties in all cases. Electronic service upon an obsolete e-mail address will constitute valid service if the user has not updated the account profile with the new e-mail address.

**** LR 11.1 Sanctions for Non-Compliance with Local Rules**

If, after notice and a reasonable opportunity to respond, the Court determines that a provision of these Local Rules has been knowingly violated, the Court may impose an appropriate sanction upon the attorneys, law firms, or parties that have violated the Local Rule or are responsible for the violation. The procedures for imposing sanctions and the nature of sanctions shall be as set out in Fed. R. Civ. P. 11(c). For purposes of this rule, references in Fed. R. Civ. P. 11(c) to violations of "subdivision (b)" are deemed to be references to violations of the Local Rules, and Fed. R. Civ. P. 11(c)(2)(A) does not apply.

Message Delivery Information

08/12/11 16:54:10 -04	Message hard bounced at for mn@mnlw.net, Bounced by destination server with response: 5.1.2 - Bad destination host ('000', ['DNS Hard Error looking up mnlw.net (MX): NXDomain'])
Subject:	Activity in Case 2:02-cv-75164-PJD-DAS Yolton, et al v. El Paso TN Pipeline, et al Motion for Miscellaneous Relief

Message Delivery Information

08/12/11 17:06:14 -04	Message hard bounced at for mn@mnlw.net, Bounced by destination server with response: 5.1.2 - Bad destination host ('000', ['DNS Hard Error looking up mnlw.net (MX): NXDomain'])
Subject:	Activity in Case 2:02-cv-75164-PJD-DAS Yolton, et al v. El Paso TN Pipeline, et al Motion for Attorney Fees